

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED

10 MAR 29 AM 9:46

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES OF AMERICA

Plaintiff

-VS-

RANDOLPH EVERETT

Defendant

:
:
: CASE NO. 1:10CR016
:
:
:

:
:
: ORDER ACCEPTING STATEMENT OF
: GUILTY PLEA AND JUDGMENT AND
: NOTICE OF HEARING
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Kenneth S. McHargh regarding the change of plea hearing and statement of guilty of plea of Randolph Everett which was referred to the Magistrate Judge with the consent of the parties.

On 12 January 2010, the government filed a one--count indictment against Randolph Everett for theft of public money and aiding and abetting in violation of 18 U.S.C. § 641 and § 2. On 8 February 2010, a hearing was held in which Randolph Everett entered a plea of not guilty before Magistrate Judge David S. Perelman. On 5 March 2010, Magistrate Judge McHargh received Randolph Everett's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be

accepted and a finding of guilty entered. Magistrate Judge McHargh filed his R&R on 8 March 2010.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Randolph Everett is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Randolph Everett is adjudged guilty of theft of public money, in violation of 18 U.S.C. § 641.

Sentencing will be:


25 may 2010 at 9:30.m.

**Courtroom 19-A
19th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

29 March 2010


UNITED STATES DISTRICT JUDGE